

PART THREE: ANIMAL REGULATIONS

GENERAL PROVISIONS

3000 TITLE AND PURPOSE.

The provisions of Section 3000 through Section 3999, inclusive, shall be known as the Animal Regulations. The purpose of these provisions is to replace the Use Regulations pertaining to the keeping of animals with provisions regulating the density of animals and the setbacks of animal enclosures in order to achieve the varying objectives of the County's urban and rural areas and the individual needs of different communities and neighborhoods regarding the quality of the environment. (These regulations were formerly a part of the Neighborhood Regulations.)

(Amended by Ord. No. 8166 (N.S.) adopted 10-21-92)

3010 ANIMAL REGULATIONS AS PART OF ZONE.

An Animal Designator, if required pursuant to these regulations, together with a Use Designator, as specified in Section 2000 through Section 2999, inclusive; a Development Designator, as specified in Section 4000 through Section 4999, inclusive; and any Special Area Designator, as specified in Section 5000 through 5999, inclusive; shall together describe a zone which conveys regulations of uses, buildings and other structures within San Diego County.

(Amended by Ord No. 8166 (N.S.) adopted 10-21-92)

3020 LIMITATION ON SELECTION OF ANIMAL DESIGNATORS.

Animal Designators shall be limited to those specified in the schedule(s) within these regulations. Alterations to such schedule(s) shall be made pursuant to the conditions and subject to the provisions of the Zoning Ordinance Amendment Procedure commencing at Section 7500.

(Amended by Ord. No. 8166 (N.S.) adopted 10-21-92)

3025 ANIMAL DESIGNATORS.

All applications of the Animal Regulations shall contain designators appropriate and auxiliary to the zone's use regulations. When a designator is not included for the Animal Regulations, a dash ("-") shall occupy the location normally occupied by the designator to indicate that no animals are allowed other than those not subject to the Animal Schedule at Section 3110 as described in the "Notes" applicable to said schedule .

(Amended by Ord. No. 5976 (N.S.) adopted 1-28-81)

(Amended by Ord. No. 7432 (N.S.) adopted 1-06-88)

(Amended by Ord. No. 8166 (N.S.) adopted 10-21-92)

(Amended by Ord. No. 8581 (N.S.) adopted 9-20-95)

3030

3030 CHANGES IN ANIMAL REGULATIONS.

Relaxation of regulations specified within the Animal Regulations shall be subject to the provisions of the Variance Procedure commencing at Section 7100 or the Use Permit Procedure commencing at Section 7350. Change of designators specified within Animal Regulations shall be subject to the provisions of the Zoning Ordinance Amendment Procedure commencing at Section 7500.

(Amended by Ord. No. 7432 (N.S.) adopted 1-06-88)
(Amended by Ord. No. 8166 (N.S.) adopted 10-21-92)

3035 DESCRIPTION OF DESIGNATOR.

The Animal Designator shall be indicated by a capital letter referring to the corresponding row in the Animal Schedule at Section 3100. The Animal Schedule shall specify the restrictions and density ranges for animal use types as well as the applicable column of the Animal Enclosure Setback Table at Section 3112.

(Repealed and Reenacted by Ord. No. 8166 (N.S.) adopted 10-21-92)

3040 SPECIFIC PLANS

If a Specific Plan has been adopted for property which is also subject to the S88 Specific Planning Area Use Regulations, any provisions of the Specific Plan relating to subjects contained in the Animal Regulations in this part shall prevail over The Zoning Ordinance regulations to the extent of any conflict between them.

(Added by Ord. No. 8581 (N.S.) adopted 9-20-95)

3100 ANIMAL SCHEDULE.

Animal designators used within the Animal Regulations shall be limited to those in the following Animal Schedule. The Animal Schedule is incorporated into this section, and all references to this section shall include references to it.

(Amended by Ord. No. 5508 (N.S.) adopted 5-16-79)
(Amended by Ord. No. 5786 (N.S.) adopted 6-4-80)
(Amended by Ord. No. 6268 (N.S.) adopted 4-14-82)
(Amended by Ord. No. 6761 (N.S.) adopted 4-25-84)
(Amended by Ord. No. 7432 (N.S.) adopted 1-06-88)
(Amended by Ord. No. 7740 (N.S.) adopted 3-28-90)
(Repealed and Reenacted by Ord. No. 8166 (N.S.) adopted 10-21-92)
(Amended by Ord. No. 9935 (N.S.) adopted 4-23-08)

Animal Schedule

(Part of Section 3100)

ANIMAL USE TYPE (See Note 4)		Restrictions and Density Range	DESIGNATOR																									
			A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	U	V	W	X		
ANIMAL SALES AND SERVICES: HORSE STABLES																												
(a) Boarding or Breeding	Permitted							X	X	X						X									X	X		
	MUP required										X		X	X	X								X	X				
	ZAP required				X	X	X																					
(b) Public Stable	Permitted															X									X			
	MUP required				X	X	X				X		X	X	X								X	X		X		
	ZAP required							X	X	X																		
ANIMAL SALES AND SERVICES: KENNELS (see Note 1)	Permitted															X			X		X							
	Permitted provided fully enclosed							X	X	X																		
	MUP required												X	X	X									X	X			
	ZAP required				X	X	X	X	X	X																		
	One acre + by MUP	X	X	X																								
ANIMAL RAISING (see Note 6)																												
(a) Animal Raising Projects (see Section 3115)	Permitted							X	X	X																X		
	½ acre+ by ZAP				X	X	X				X		X	X	X	X	X						X	X				
	1 acre+ by MUP	X	X	X																								
(b) Small Animal Raising (includes Poultry)	Permitted													X	X	X	X							X				
	½ acre+ permitted							X	X	X																		
	100 maximum											X																
	25 maximum				X	X	X				X		X					X	X				X		X			
	½ acre+: 10 max	X	X	X																								
	Less than ½ acre: 100 Maximum							X	X	X																		
	½ acre+ 25 max by ZAP	X	X	X																								
	100 max by ZAP				X	X	X																		X			
	MUP required												X															
	(c) Large Animal Raising (Other than horsekeeping)	4 acres + permitted															X								X			
8 acres + permitted								X	X	X																		
2 animals plus 1 per ½ acre over 1 acre					X	X	X																		X			
4 animals plus 4 for each ½ acre over ½ acre								X	X	X																		
1 ½ acres or less: 2 animals												X	X	X	X	X								X				
1 ½ to 4 acres: 1 per ½ acre												X	X	X	X	X								X				
4 acres+, 8 animals + 1 cow or sheep per 1 acre over 4 acres												X	X	X	X													

ANIMAL USE TYPE (See Note 4)	Restrictions and Density Range	DESIGNATOR																							
		A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	U	V	W	X
(See Note 2)	2 animals										X						X	X	X				X		X
	4 acres plus by MUP											X			X										
	½ acre plus 2 animals per ½ acre by ZAP	X	X	X																					X
	Grazing Only																				X	X			
(d) Horse keeping (other than Animal Sales and Services: Horse Stables)	Permitted							X	X	X	X	X	X	X	X	X	X	X	X			X	X	X	X
	2 horses + 1 per ½ acre over 1 acre				X	X	X																		
	ZAP required				X	X	X																		
	½ acre plus by ZAP	X	X	X																					
(e) Specialty Animal Raising: Bees (See Title 6, Division 2, Chapter 9, County Code) (See Note 7)	Permitted				X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
	ZAP Required	X	X	X																					
(f) Specialty Animal Raising: Wild or Undomesticated (See Note 3)	ZAP Required				X	X	X	X	X	X			X	X	X	X	X			X	X	X		X	
(g) Specialty Animal Raising: Other (Excluding Birds)	25 maximum				X	X	X				X	X	X				X	X	X	X	X		X		X
	25 maximum by ZAP	X	X	X																					
	25 plus by ZAP				X	X	X				X	X	X	X			X			X	X	X	X		X
	Permitted							X	X	X					X	X								X	
(h) Specialty Animal Raising: Birds	25 maximum				X	X	X					X					X	X	X	X	X				
	100 maximum							X	X	X	X	X				X							X		
	Additional by ZAP	X	X	X				X	X	X	X	X	X			X						X	X		
	Permitted													X	X	X								X	X
(i) Racing Pigeons	100 Maximum										X	X											X		
	100 Max 1/acre plus																X								
	Permitted												X	X	X	X	X							X	X
ANIMAL ENCLOSURE SETBACKS (See Section 3112)																									
Most Restrictive		X			X			X			X	X	X	X	X	X	X	X	X	X	X	X	X	X	
Moderate			X			X			X																
Least Restrictive				X			X			X															X

MUP = Major Use Permit

+ = plus

ZAP = Minor Use Permit

Notes:

1. Dogs and cats not constituting a kennel are accessory uses subject to the Accessory Use Regulations commencing at Section 6150
2. On land subject to the "S" and "T" Animal Designators, grazing of horses, bovine animals and sheep permitted provided no buildings, structure, pen or corral shall be designated or used for housing or concentrated feeding of animals, and the number of such animals shall not exceed 1 animal per ½ acre of land.
3. One wild or undomesticated animal, kept or maintained in conformance with State and local requirements, is an accessory use subject to the Accessory Use Regulations commencing at Section 6150, and is not subject to the Animal Schedule. (Amended by Ordinance Number 7432 (N.S.) adopted January 6, 1988.)
4. The Animal Schedule does not apply to small animals, specialty animals, dogs or cats which are kept for sale in zones where the Retail Sales, General Use type is permitted provided that all activities are conducted entirely within an enclosed building, the building is completely soundproof, there are no outside runs or cages, no boarding of animals, no outside trash containers and no offensive odors.
5. Chinchillas are considered small animals except that a MUP may be approved for more than 25 chinchillas on property with the "L" Designator.
6. The number of animals allowed is per legal lot.
7. Beekeeping must be located at least 600 feet from any habitable dwelling unit, other than such dwelling unit owned by the person owning the apiary.

3112

3112 ANIMAL ENCLOSURE SETBACK TABLE.

Notwithstanding the provisions of an applicable setback designator, enclosures containing the animal-related use types listed in Section 3110 shall have the minimum setbacks specified in the Animal Enclosure Setback Table. The Animal Enclosure Setback Table is incorporated into this section, and all references to this section shall include references to it. Animals subject to the Animal Setback Table must be confined within the appropriate enclosure.

ANIMAL ENCLOSURE LOCATION	ANIMAL ENCLOSURE SETBACKS (a)		
	MOST RESTRICTIVE (b)	MODERATE (b)	LEAST RESTRICTIVE (b)
Distance from Street Center Line	Same as for main building(c)	Same as for main building	Zero (0) feet (from street line)
Distance from InteriorSide Lot Line	15 feet	Five(5)feet	Zero (0) feet for open enclosure. Five (5) feet for roofed enclosure.
Distance from Rear Lot Line	10 feet	Zero (0) feet for open enclosure. Five(5)feet for roofed enclosure.	Zero (0) feet

NOTES:

- a. Animal enclosure includes pens, coops, hutches, stables, barns, corrals, and similar structures used for the keeping of poultry or animals.
- b. A fenced pasture containing a minimum of 2 acres, with no building used for human habitation and having no interior cross-fencing, is exempt from the animal enclosure setback requirements.
- c. Refer to applicable setback designator and setback schedule at Section 4810.

(Amended by Ord. No. 5508 (N.S.) adopted 5-16-79)
(Amended by Ord. No. 7432 (N.S.) adopted 1-06-88)
(Amended by Ord. No. 7740 (N.S.) adopted 3-28-90)
(Amended by Ord. No. 8166 (N.S.) adopted 10-21-92)

3114 KENNELS.

In addition to the regulations contained in the Animal Enclosure Setback Table, Section 3112, all kennels shall be subject to the following regulations:

1. Restrictions On Use:

- a. The premises shall be kept in a clean and sanitary manner by the daily removal of waste and by the use of spray and disinfectants to prevent the accumulation of flies, the spread of disease or offensive odor.
- b. Kennels shall conform to the regulations contained in Division 6, Sections 36.401 - 36.414 of the County Code (Noise Abatement and Control).
- c. Animal odors shall not be detectable beyond the lot lines of the property wherein the kennel is located.
- d. Dust and drainage from the kennel enclosure shall not create a nuisance or a hazard to adjoining property or uses.
- e. The kennel enclosure shall be screened by a nontransparent fence of a minimum six feet in height.

2. Additional Setback Requirements:

- a. Notwithstanding the provisions of Section 3112 of this Ordinance, no kennel located on property with Animal Schedule Designators (see Section 3100) "L", "M", "N", "V", "W" shall be erected and maintained:
 - 1. Within 50 feet of any interior side lot line.
 - 2. Within 25 feet of any rear lot line; provided, however, where the rear lot line is parallel with and contiguous to an alley, such structures may be erected, placed or maintained up to such rear lot line.
- b. A kennel located on property with the Animal Schedule Designators (see Section 3100) "O", "R", and "T" shall comply with the provisions of Section 3112; provided, however, that where a kennel in said designator abuts a residential use regulation, setbacks shall be maintained in accordance with subsection 2a.1 and 2a.2 above.

(Amended by Ord. No. 8166 (N.S.) adopted 10-21-92)

3115 ANIMAL RAISING PROJECTS.

In addition to the regulations imposed by Section 3112, animal raising projects shall be subject to the following regulations:

- a. Limits. Such project is limited to the keeping, raising and breeding of domesticated animals for 4-H, FFA or other similar youth organization projects. Animal raising projects are a permitted use (by-right) provided the total number and the type(s) of animals on the premises are allowed by the applicable zone animal designator.
- b. Minor Use Permit. If the total number of animals on the premises would exceed the number allowed by the zone animal designator a Minor Use Permit shall be obtained to permit the animal raising project as provided in the Animal Schedule in Section 3100 (or a waiver may be obtained pursuant to subsection e. below). The use permit application fee is waived pursuant to Section 7602 d.2.
- c. Under Auspices of Youth Organizations. The keeping of said animals shall be in connection with animal raising projects under auspices of 4-H, FFA or other similar youth organizations.
- d. Other Conditions. A Minor Use Permit for an animal raising project may impose other conditions pertaining to the type, number, and locations of animals as are reasonable and necessary for the protection of the public health and welfare and for the protection of the health and welfare of the animals. A use permit time limit may also be imposed.
- e. Waiver of Minor Use Permit. The Director of Planning and Land Use may waive the requirement for a Minor Use Permit for animal raising projects upon submittal of written consent to the granting of the waiver. Such consent shall be signed by all owners of each developed lot or parcel that is wholly or in part within a 300 foot radius of the perimeter of the property where the animal raising project is to be conducted. Such consent and any other material required, including plot plan and the number and types of animals, shall be on the forms or in the format required by the Department of Planning and Land Use. The waiver may be granted for a period not to exceed five years and may be revoked by the Director if the animal raising project does not comply with the requirements specified in the granting of the waiver or is in violation of any applicable County ordinances. At the end of five years an additional waiver may be applied for.

(Amended by Ord. No. 5508 (N.S.) adopted 5-16-79)

(Amended by Ord. No. 7466 (N.S.) adopted 4-27-88)

(Amended by Ord. No. 8897 (N.S.) adopted 3-18-98)

3120 FEED LOTS FOR CATTLE.

- a. Purpose. The purpose of this section is to protect surrounding areas and uses from those concentrations of bovine animals which may adversely affect the public by noise, odors, flies, and other land use and environmental impacts.
- b. Requirement For Feed Lots. The operation of a feed lot for cattle is permitted only in areas subject to an "O" or "W" Animal Regulations designator on parcels of 4 acres or larger and in accordance with an approved Major Use Permit and the approval of the Regional Water Quality Control Board. As used herein, "feed lot for cattle" shall mean the following:

A confined livestock facility that operates for the purpose of feeding a high-concentrate feed to cattle wherein are confined 300 or more cattle at a density of more than thirty animals per acre of confined area, excluding dairies.
- c. Required Review and Findings. The body having jurisdiction over such Major Use permit shall not approve the permit unless it has considered a report by the Commissioner of Agriculture/Weights and Measures, and in addition to the findings required by Section 7358, it is also found that the number and location of the cattle, and the manner in which they are kept, will not have any significant adverse land use or environmental impacts on adjoining areas or uses by reasons such as but not limited to noise, odors, dust or fly breeding.
- d. Permits Pursuant to County Code. Permits issued pursuant to former Sections 62.150 through 62.154, inclusive, and 62.170 through 62.179, inclusive, of the San Diego County Code, for property subject to this section shall be deemed to be Major Use Permits issued pursuant to this section and may be modified or revoked pursuant to the Use Permit Procedures.

(Added by Ord. No. 5508 (N.S.) adopted 5-16-79)
(Amended by Ord. No. 6134 (N.S.) adopted 7-22-81)
(Amended by Ord. No. 7701 (N.S.) adopted 12-13-89)

